

CHAPTER 28

WATER

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Section 28-1. Rules and regulations. *3.

The Mayor and the Council shall, from time to time enact rules and regulations prescribing rates to be charged for the use of water, inspection and permit fees and procedures, rules for levying billing guaranteeing, and collecting charges for water, rules governing the manner of making connection to the water system, and materials to be used, and all other rules and regulations necessary for the management and control of water and of the water department in the city.

a. Penalties for violation.

Any person, firm or corporation who violates the provisions of this section as amended and adopted herein, is guilty of a Class "B" misdemeanor and upon conviction is subject to a fine not to exceed \$299.99 and imprisonment in the Tooele County Jail for six months, or by both such fine and imprisonment.

Section 28-2. Supervisor of waterworks.

The Mayor shall appoint a City Water Supervisor, who shall be an elect member of the City Council, whose duty it shall be to manage and supervise the Grantsville City water system under the direction of the City Council. (R.O. 1955, Section 18-1)

Section 28-3. Name of waterworks; construction of Reservoirs; installation of mains, etc. *2

The waterworks constructed by Grantsville City Corporation to supply the city with culinary water shall be designated and known as the Grantsville City Waterworks. The Mayor and Council may authorize the construction of storage reservoirs and the installation of water mains, services and fire hydrants, as the necessities of the inhabitants of the city may require, and make such rules and regulations as may from time to time become necessary to properly service and supply the inhabitants of the city with water.

*2 As to power or cities to construct, etc. waterworks, see U.C.A., 1953, Sections 10-7-4, 10-8-14, and 10-8-15.

Section 28-4. Damage to waterworks property.

Any person who shall willfully and without authority from the supervisor of waterworks remove or damage any dam, bulkhead, gate, gatehouse, conduit, air vent, air box, cover, main pipe, culvert or surface box, or raise or open any gate or break down or force open any doors of the waterworks system executed, constructed or maintained for the purpose of supplying water to the inhabitants of the city shall be deemed guilty of a misdemeanor and upon conviction thereof shall be liable to the punishment provided for in Section 1-9.

Section 28-5. Wrenches for fire hydrants.

Wrenches for the fire hydrants shall be furnished by the supervisor of waterworks to the fire department for its use, and to such other person, as he may deem proper. Any member or officer of the fire department or any person having charge of one or more of such wrenches who shall permit the same to be taken from the place to deposit of to be used for any other purpose than those authorized by the supervisor of the waterworks shall be liable to the city for all damage occasioned thereby.

Section 28-6. Opening or closing fire hydrants.

It shall be unlawful for any person to open or close any fire hydrant within the corporate limits of the city or to attempt to open or close, by the use of any wrench or other device, any such hydrant without first having obtained from the Mayor and

Council or the supervisor of waterworks permission so to do; provided, that this section shall not apply to any volunteer fireman of the city while on duty.

Section 28-7. Diverting or polluting water; injuring property used in distributing water.

It shall be unlawful for any person to divert the water or any portion thereof from the waterworks or to corrupt or render the same impure or destroy or injure any canal, aqueduct, pipe, conduit, machinery or other property used or required for procuring or distributing water. Any person found guilty of any of such acts shall be deemed guilty of a misdemeanor and be punished as provided I Section 1-9.

Section 28-8. Written application for water service.

Application for the use of water must be made on printed forms, furnished by the City Council and signed by the applicant. The applicant shall state fully and truly the purpose for which water is required, and shall agree to conform to, and be governed by such rules and regulations as may be prescribed by the City council for the control of the water supply. Said applicant shall, in his application, state the location and kind of building to be supplied.

Any person desiring to discontinue the use of water supplied to any premise permanently or for a period less than 3 months or a period less than one water reading period, whichever is least, shall give notice in writing to the water supervisor no later than 5 days prior to date upon which discontinuance is requested. No reduction or abatement of water rates shall be made unless such notice shall be given; provided that no allowance or abatement will be made for nonuse for less than one month. (R.O. 1955, Section 18-2)

Section 28-9. Connection service and agreement. *4

Grantsville City shall not furnish water for use in any house, tenement, apartment, building, place, premises or lot whether such water is for the use of the owner or other persons, unless an application for water shall be made in writing, signed by such owner or his duly authorized agent, in which application such owner shall agree that he will pay for all water furnished such house, tenement, apartment, building, place, premises, or log. (Ordinance 89-7)

In case an application for furnishing water shall be made by a tenant of the owner, or by the owner or his duly authorized agent on behalf of a tenant, Grantsville City, as a condition of granting the same, shall require an application containing an agreement signed by the owner thereof, or his duly authorized agent, to the effect that in consideration of the granting of such application the owner will pay for all water furnished such tenant, or any other occupant of the place designated in the application, in case such tenant or occupant shall fail to pay for the same.

Section 28-10. Service installation charges. *5

For the installation and connection of service lines, the following charges payable in advance, shall be made:

Meter size in inches	Water impact fee
3/4 inches	\$1,275.00

1 inch	\$2,295.00
1 1/2 inches	\$5,125.00
2 inches	\$9,100.00
3 inches	\$20,500.00
4 inches	\$36,425.00
6 inches	\$81,900.00

The City Council may adjust the standard water impact fee at the time of the fee is charged to respond to unusual circumstances in specific cases and ensure that impact fees are imposed fairly. .

Each development which contains more than one dwelling, residence, mobile home or other independent unit, which is to be served by only water service line, shall be charged the greater of the above stated connection fee for the service line size or \$1,275.00 for each dwelling, residence, mobile home or other independent unit etc., that will be served by the same service line. **

The applicant for connection shall, in addition, pay for all materials including water meter and the cost of installation, including installation of the water meter. All subdividers must perform all installation and acquisition of materials. If an applicant outside of subdivision desires Grantsville City to install the water meter, Grantsville City will do so for the cost of material and the cost of installation. For all service installations outside of the city limits, cash payment of \$600.00 in addition to the regular installation charges provided must be paid upon application.

Where an old service pipe is replaced by a new service pipe of a larger size, the charge shall be the same as for the installation of a new service pipe.

Section 28-11. Cost of extending water main to be paid by applicant.

Where any property is not served by a service water pipe in front of or adjacent to such property and the owner desires a water service connection, such water service connection shall be furnished only on the condition that the owner pay all costs of installing the pipeline, the backfilling and repairing of streets through such property and in addition thereto pay for the meter installation as set out in Section 28-13; provided that the owner make application to the City Council in petition, containing a description of such proposed extension, accompanied by a map showing the location thereof, which petition shall also contain an offer to advance the whole expense of making such extension. If the City Council shall grant said petition; the City shall authorize such extension, provided further that the applicant shall be required to lay the size of water main and or pipe extension as specified which may be along such street. The City shall have exclusive control of said pipe thus extended, as completely as though the same had been installed by it. And said pipes and other appurtenances thereto shall become the property of said City as fully as though it had been installed by it in the first instance.

Section 28-12. Quality of service, permit required.

All service and other pipes used underground shall be either rigid or rolled K-Copper; or any other pipe approved by the City Council, and so that the finished elevation shall provide four feet (4') of cover material above said pipe. All pipe, installation methods, bedding and backfill densities shall be approved by the City Water Supervisor prior to

the installation and completion of the work. Permits from the City shall be acquired prior to any such construction or replacement. Each service lateral shall have a corporation stop at the junction of the main and service lines. (Amended 3-21-84 by Ordinance 84-1.)

Section 28-13. Water meters, requirement of separate meters.

It shall be unlawful for any person to use or have in his possession any water from the Grantsville City Waterworks, that has not first passed through and the quantity thereof measured by a water meter approved by the Water Department of Grantsville City.

All water meters shall be installed at the expense of the service owner or user, payable in advance. The council shall be resolution fix the amount of each service installation charge and the terms and conditions thereof.

Every structure, house, or building in which a business is carried on, or a residence maintained, using water from Grantsville City Waterworks, must have a separate and individual meter. (R.O. 1955, Sections 18-20 and 18-21.)

Section 28-14. Owners responsible.

Whenever tenants or persons are using water dispensed through a water meter, or water meters, the owner of the premises shall be deemed and held responsible for all charges and costs of the water flowing through and measured by said water meter, or meters. (R.O. 1955, Section 18-22.)

Section 28-15. Two users on one connection.

It shall be unlawful for two (2) or more separate water users to be connected onto one water meter or service line connection, unless the premises of all such water users are owned by the same owner. In all such cases where any one property owner has two (2) or more separate water users connected onto the City main by means of one water meter or service connection, the bill for the whole supply furnished through such connection on tap shall be made to the owner of the property and the property owner shall in all cases be primarily liable to the City for all water used on all such premises. In case of nonpayment, the water may be shut off notwithstanding one or more parties have paid their portion to any such owner or to any other party. No consumer shall be permitted to conduct water pipes across lots or buildings to adjoining premises, without permission from said water supervisor and City Council and a stock pipe and key box should be attached at the junction of such service pipe. (R.O. 1955, Section 18-13.)

Section 28-16. Taker only to use water.

It shall be unlawful for any water user to permit any person from other premises, or any unauthorized person, to use or obtain water regularly from his premises or water fixtures, either outside or inside his building.

Section 28-17. Pipes to be kept in good repair.

All water users shall keep their service pipe and connections and other apparatus in good repair and protected from frost at their own expense, but no person, except under the direction of the water department, shall be allowed to dig into the street for the purpose of laying, removing, or repairing any service pipe. (R.O. 1955, Section 18-5.)

Section 28-18. Plumbing permit, report.

It shall be unlawful for any person to make any extension of any pipe or water fixture attached to the Water Works System for any purpose whatever without first obtaining a permit from the Water Department. Within twenty-four hours after the completion of any plumbing work connected with the Water Works System the same must be reported to the Water Department. (R.O. 1955, Section 18-6.)

Section 28-19. Waste prohibited.

It shall be unlawful for any water user to waste water, or to allow it to be wasted, by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets, or stops or through basins, water closets, urinals, sinks, or other apparatus, or to use the water for purposes other than those for which he has paid, or to use water in violation of the rules and regulations for controlling the water supply. (R.O. 1955, Section 18-7.)

Section 28-20. Street sprinkling.

Street sprinkling and flushing shall be under the direction of the Supervisor of Waterworks. (No R.O.)

Section 28-21. Fountains.

All public fountains shall be under the jurisdiction of the Supervisor of Waterworks.

Section 28-22. Water Conservation regulations – Secondary Water Required

- a. As of August 15, 1998 no water from the Grantsville city Waterworks system shall be used for sprinkling or irrigation of outdoor gardens, yards, vegetation or landscaping on property that is thereafter developed for residential or commercial uses requiring a building permit, conditional use permits, planned unit development or subdivision approval. This prohibition against outside irrigation with City water shall only apply when the property proposed for development has within five years of the date of the development application been irrigated with secondary (non-City waterworks) water or has had a secondary water right attached to it during the same time period. This Section shall not apply to property that is developed after August 15, 1998 for a single family dwelling on a lot that existed prior to August 15, 1998 or to a single family dwelling constructed on a lot that was created as a part of a minor subdivision.
- b. Each application for a building permit, conditional use permit, subdivision approval or other development plan shall specify on a plat plan the outdoor areas that are proposed for irrigation and the proposed source of water to accommodate the same. If water from the Grantsville City Waterworks is proposed for outside irrigation, the applicant shall demonstrate by satisfactory evidence that such irrigation will be in compliance with the provisions and requirements of this Section and that the property had not been irrigated with or had secondary water attached to it within the past five years, when required. If water from the Grantsville City Waterworks will not be used for outside irrigation, the application must present documentation of the right and ability to use another secondary water source to irrigate said property or receive approval for a non-irrigated landscaping plan from the Planning Commission as a part of the development application process, by showing that the landscaping plan is feasible and will be compatible with neighboring properties and complies with other applicable regulations of Grantsville City. Building permits or development approval shall not be authorized or approved until the provisions of this Section are fully complied with. Any denial of a building permit or development approval because of non-compliance with the

provisions of this Section may be appealed to the City Council, provided a written appeal is filed with the City Recorder within 30 days of said denial. The decision of the City Council shall be final.

Section 28-23. City not liable for damages for shutting off water.

The City reserves the right at any time, without notice, to shut off the water from its mains for the purpose of making repairs or extensions or for other purposes and no claim shall be made against the City by reason of the breakage, stoppage, or interruption of any service pipe or service cock, or for any other damage that may result from the shutting off of water for repairing, laying, or relaying mains, hydrants or other connections, or interruptions caused by fires, scarcity of water, accidents to works or mains, or for any other reason or unavoidable cause whatsoever. (R.O. 1955, Section 18-10)

Section 28-24. Curtailment by proclamation. *6

In time of scarcity of water whenever it shall, in the judgement of the Mayor and City Council, be necessary, the Mayor shall by proclamation, regulate, restrict or limit the use of water for other than domestic purposes, and shall have the power to take all necessary means and make any necessary regulations as circumstances may require to protect the users of the city water. (R.O. 1955, Section 18-13.)

*6 See also Grantsville City Code, Section 2-23. For similar state law, see U.C.A., 1953, Section 10-7-12.

Section 28-25. Access to places supplied with water. *7

Free access shall at all ordinary hours be allowed to the Supervisor of Waterworks, or other authorized person, to all places supplied with water from the waterworks system, to examine the apparatus, the amount of water used, the manner of its use and to make all necessary shut-off for vacancy, delinquency and violation of this chapter. Any water taken violating any of the rules and regulations controlling the water supply shall forfeit the right to the use of the water, such remedy shall be cumulative. (R.O. 1955, Section 18-9.)*7 For state law as to right of entry on premises of water use, see U.C.A., 1953, Section 190-7-13.

Section 28-26. Unlawful to interfere with city officers.

It shall be unlawful for any person to interfere with, molest, hinder or obstruct the Mayor, or any of his agents, servants, or employees while in the performance of the duties imposed by the Sections of this Chapter. (No R.O.)

Section 28-27. Water rates; extension of existing city lines; water and sewer charges to constitute one charge. (Amended 3/05)

All water supplied to the inhabitants of the City shall be through water meters unless otherwise directed by the City Council. The rates and connection fees for a supply of water from the Grantsville Water system shall be fixed by resolution of the City Council from time to time. Persons applying for connection to the Grantsville City Water system shall bear the costs of material and installation of extending the City water system from the existing water line to the point of applicant's connection. Such extension shall become the property of Grantsville City upon completion of the

connection.

All impact fees, connection fees and costs of materials and installation shall be paid to the City in advance of the installation.

Any applicant desiring to obtain reimbursement from subsequent users of their water system extension, pursuant to the provisions of Grantsville City's Recovery Ordinances, shall submit to the City at the time the extension is accepted by the City, an itemized statement of the material and installation costs pursuant to the provisions of Chapter 22 of the City's Land Use Management and Development Code. (Recovery rights see Land Use Management Code Chapter 22)

All rates provided for hereunder shall be charged with the sewer fees as provided by Chapter 21-1-19 and the secondary water assessments as provided by Chapter 30-1-8 (2) of this Code and the total thereof shall constitute one charge. If any part of the account for either sewer, culinary water or the secondary water assessment becomes delinquent, as in this Code provided, the City shall discontinue the water service until all delinquencies have been paid in full, including the reconnection fee.

Section 28-28. Special rates.

The City Council may from time to time fix special rates and conditions for users using an exceptionally large or small amount of water upon such terms and conditions, as they may deem proper. * (R.O. 1955, Section 19-15.) *Amended April 5, 1978,

Section 28-29. Board of Equalization, water rates, rebates.

The City Council is hereby constituted a Board of Equalization of water rates to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. They may, if then see fit, rebate all or any part of the water bill of any indigent person. (R.O. 1955, Section 18-16.)

Section 28-30. Use without payment prohibited.

It shall be unlawful for any person by himself, family, servants or agents to use the water coming through the Grantsville Water Mains without first paying therefor as heretofore provided, or without authority, to open any stop-cock or other fixture attached by the system of water supply. (R.O. 1955, Section 18-17.)

Section 28-31. Water service billings - delinquent or past-due bills - enforcement.

Charges for water service shall be rendered each month at established rates on the same bill with the City sewer or garbage bill. Each bill shall show separately the amount of the water service charges from the sewer and garbage bill, but the total thereof shall be considered one charge for the combined use of the water, sewer or garbage service. The portion of the bill rendered for water service cannot be paid separately from the portion rendered for the other City services. If bulk water is purchased directly from the City, payments for said water shall be paid at the time that said water is acquired or if permitted by the City, a billing may be submitted to the purchaser on a monthly basis, which shall be paid on the same basis as other billings for water service. Payments for water and other City services are due at the Grantsville City Offices prior to the time that the next month's service billing is prepared by the City. A 1 1/2 percent late fee shall be added to all delinquent accounts at the time the next month's service billing is prepared by the City.

A separate late fee shall be assessed against each residential unit, when payment for that unit is delinquent and when the billing or payment is combined with other residential units. In the event that the sewer, water, garbage charges, late fees, or any portion thereof are not paid in full within forty-five (45) days after the due date, water services may be discontinued. Before the water shall be turned on again, all delinquent sewer, water or garbage charges, late fees, interest charges and a \$25.00 fee to cover the expenses of restoring water service shall be paid in full to the City. In the event, a deposit has been made securing the payment of charges for City service; said deposit may be forfeited to the city in the amount delinquent and due the city. Late fees may be waived by the city Recorder if he or she determines that there is good cause for the waiver of said charges.

Section 28-32. Turning on water after being turned off prohibited.

It shall be unlawful for any person, after the water has been turned off from his premises on account of nonpayment of rates or other violation of the rules and regulations pertaining to the water supply, to run on or allow the water to be turned on, or use, or allow the water to be used without authority from the Supervisor of Waterworks. (R.O. 1955, Section 18-19.)

Section 28-33. Prevention of pollution of contamination outside city. *9

It shall be unlawful for any person to construct, use or maintain any closet, privy, outhouse, cesspool, urinal or sewage disposal system or any public bathhouse, swimming tank or swimming pool at any place within the watershed area of said City unless such closet, privy, outhouse, cesspool, urinal or sewage disposal system, public bathhouse or swimming tank is provided with effective germ destroying appliances and without first having obtained from the Mayor and Grantsville City Health Officer a permit for the construction, use and maintenance of same.

It shall be unlawful for any person to do or permit to be done any of the things hereinafter described in any canyon or along any stream of water used by the inhabitants of the city for their supply anywhere within the watershed area of said City.

- a. To construct or maintain any corral, sheep pen, pig pen, outhouse.
- b. To deposit, pile, unload or leave manure or offensive rubbish or carcass of any dead animals at any place within said watershed area, except at a garbage disposal plant designated by the Health Officer and Supervisor of Waterworks.
- c. To permit any loose cattle, horses, sheep, hogs, or any other animals to run at large except where such livestock are more than three hundred feet (300') from any stream or source of water supply within said watershed area.
- d. To stake or graze horses, cattle, horses, sheep, hogs, or any other animals within three hundred feet (300') of the bank of such stream, except that such horses or cattle may be staked or corralled within such three hundred feet (300') at such place and under such conditions as may be designated by the Health Officer and Mayor of the City. The person obtaining such permit must keep the premises whereon said animals are kept in good condition as may be required by the Health Officer and the Mayor and said permit may be revoked at any time by said officer upon failure of the permitted to comply with such reasonable sanitary regulations as are prescribed by said officer.
- e. To permit any horse, cattle, sheep, hogs, or other animals to water directly from the stream.
- f. To permit any horses, cattle, sheep, hogs, or other animals to remain in or near to pollute any such stream of water.

- g. To throw or deposit garbage or other deleterious matter of any kind anywhere within said limits, except at a garbage disposal plant designated by the Health Officer and Supervisor or Waterworks.
- h. To permit any dog to run at large.
- i. To throw or break bottles or glass.
- j. To spread or eat lunch or picnic within one rod of the bank of such stream.
- k. To wade or bathe in the stream.
- l. To wash dishes or other articles in the stream.
- m. To commit any nuisance whatsoever.

Section 28-34. Designation of point of correction to city water system.

All water connections shall be placed on a line at a right angle of 90 degrees to the City water main from the structure to be connected to the City Water System.

Any connection requested on a line other than a right angle of 90 degrees must be for good cause shown and only upon approval and acceptance by the Supervisor or Water.

Section 28-35. Tampering with city water valves and meters prohibited.

No person shall turn off or on any Grantsville City culinary water valve, or tamper with water meters, water pipelines or valves of the Grantsville City culinary water system, without the express permission of the Mayor, the City Councilperson over water, or the supervisor over public works. Any person violating the provisions of this Section shall be guilty of a Class "B" Misdemeanor and shall be liable to the City to pay a \$50.00 inspection fee to ensure that the system has not been damaged and said person shall also be responsible for the costs incurred by the City to restore the system to its original condition if damages or repairs are necessary as a result of said violation. The public works supervisor shall assess the inspection fees and costs and these amounts shall be added to the water bill of the responsible party. If said fees and costs are not paid along with the water, billing the entire account shall be deemed delinquent and the City shall treat the delinquency the same as any other delinquent account. Any person aggrieved by an assessment of fees of costs may appeal the determination to the City Council, whose decision shall be final.

Section 28-36. Water connections performed by city.

Notwithstanding, any provision to the contrary in the chapter, the City Council, at any time may require the City to perform the work and supply the materials for any requested connection to the City's water system. When the City has determined to perform the work for the water connection, the applicant shall pay the City the full costs of the work, prior to any work being performed by the City. The costs of said connection should be determined by the City Council or its designee. The supervisor over the Water Department shall determine the extent of the work to be performed by the City under these Sections and any remaining work necessary to provide water service shall be performed by the applicant. If the City performs all of the work necessary for a water connection in a City street or right of way, no bond shall be required by the applicant. The construction costs for the water connection as provided for in this section are in addition to the connection fees required in Section 28-10. Anyone who proceeds with work on a water connection contrary to direction of the City Council is guilty of a misdemeanor. * *Section 28-36 adopted 12-7-83.

Section 28-37 Private Water Lines in City Streets Prohibited –specifications for Water Main Lines.

No private water line shall be allowed or located within a City street or right-of-way. No culinary water main pipeline shall be installed within the limits of Grantsville City or be connected to the City's municipal culinary water system that is less than eight inches in diameter and said pipe shall meet all of the other specifications designated by the City engineer. It shall be unlawful for any person to make any connections, improvements, changes or obstructions to the City culinary water system without first making application to and receiving written approval from the City.

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